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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jean E.F. Rivier et al.
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For: CRFR1 SELECTIVE LIGANDS
Group Art
Unit: 1646
Examiners: TBD

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

5-21-04 Karin E. Harden
Date Karin E. Harden

RESPONSE TO OBJECTION REGARDING SEQUENCE LISTING REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Reconsideration of the paragraph in the Notice to File Missing Parts regarding the lack of a Sequence Listing in respect of the above-identified application is respectfully requested.

So far as Applicants are aware, the USPTO rules have not been recently changed, and pursuant to 37 CFR §1.821(a)(2), amino acid sequences containing D-isomer amino acids are not required to be exemplified by sequence listings. See the following sentence: "Those amino acid sequences containing D-amino acids are not intended to be embraced by this definition."

The specification of the above-identified application and the claims have been reviewed, and it has been ascertained that every amino acid sequence in the application contains a D-isomer in at least the 12-position of the sequence. In this respect, attention is directed, for example, to page 7, line 35; page 8, line 16; and page 10, lines 13, 20 and 28-32.

For the Examples, see page 15, lines 3-5; page 18, lines 9-11 and 21-23; and page 19, lines 4, 13, 22 and 31, etc., all of which contain D-Phe.

This likewise holds true for Examples 3F through 6E, all of which include D-Phe.

It is noted that, with respect to U.S. Patent No. 5,750,499 to Hoeger et al., it was unnecessary to file a sequence listing in a parallel situation wherein all of the amino acid sequences contained a D-isomer in the 8-position.

In view of the foregoing, it is respectfully requested that the objection to the application for failure to include an amino acid sequence listing should be reconsidered and withdrawn.

Respectfully submitted,

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